



राजपत्र, हिमाचल प्रदेश (सामाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 22 अगस्त, 2003/31 भावण, 1925

हिमाचल प्रदेश सरकार

सहकारिता विभाग

अधिसूचना

शिमला-171002, 23 जुलाई, 2003

संख्या कूप0ए0(3)-1/99.—हिमाचल प्रदेश के राज्यपाल की राय में ऐसा करना समीचीन है कि अतः हिमाचल प्रदेश सहकारी सोसाइटी अधिनियम, 1968 (1969 का 3) की धारा 109 के साथ पठित धारा 54 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दो हिमाचल प्रदेश कोऑपरेटिव सोसाइटीज क्लब, 1971 में और संशोधन करने के लिए निम्नलिखित प्रारूप नियमों को बनाने का प्रस्ताव करते हैं और जनसाधारण की जानकारी के लिए उसे राजपत्र, हिमाचल प्रदेश में प्रकाशित करते हैं;

इन प्रारूप नियमों द्वारा संभाव्य प्रभावित होने वाले किसी व्यक्ति को यदि इन प्रस्तावित प्रारूप नियमों के बनाए जाने के बारे में कोई आक्षेप(ओं) या सुझाव(वों) देना हो तो उसे उक्त नियमों के राजपत्र, हिमाचल प्रदेश में प्रकाशित होने की तारीख से 30 दिन की अवधि के भीतर सचिव (सहकारिता) हिमाचल प्रदेश सरकार, शिमला-2 को भेज सकेगा;

नियत अवधि के भीतर ऐसे प्राप्त आक्षेपों या सुझावों, यदि कोई हो, पर सरकार द्वारा उसे अन्तिम रूप देने से पूर्व विचार किया जाएगा, अर्थात्:—

प्रारूप नियम

1. संक्षिप्त नाम.—इन नियमों का संक्षिप्त नाम दी हिमाचल प्रदेश कोआपरेटिव सोसाइटीज (अमैडमेन्ट) रूलज, 2003 है।

2. नियम 11 का संशोधन.—दी हिमाचल प्रदेश कोआपरेटिव सोसाइटीज रूलज, 1971 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) के नियम 11 के उप-नियम (2) में, खण्ड(एफ) के पश्चात् “;” चिह्न के स्थान पर “; या” शब्द और चिह्न रखे जाएंगे और उसके पश्चात् निम्नलिखित खण्ड (जी) जोड़ा जाएगा, अर्थात्:—

“(g) does not attend three consecutive general meetings of the society and such absence has not received the consent of the general body”.

3. नियम 38 का संशोधन.—उक्त नियमों के नियम 38 में,—

(क) उप-नियम (3) में, प्रथम परन्तुक का लोप किया जाएगा और द्वितीय परन्तुक में, आए “further” शब्द का लोप किया जाएगा, और

(ख) उप-नियम (6) के पश्चात् निम्नलिखित उप-नियम (7) जोड़ा जाएगा, अर्थात्:—

“7. Each committee shall, ninety days before the expiry of its terms, make arrangements for the constitution of new committee in accordance with the provisions of the Act, rules and its bye-laws:

Provided that the members of the newly elected committee shall assume office only after the expiry of the term of outgoing committee:

Provided further that the Registrar shall take necessary steps for the constitution of new committee, as he deems fit under the provisions of the Act, if the outgoing committee fails to conduct elections before the expiry of its term”.

4. नियम 72 का संशोधन.—उक्त नियमों के नियम 72 में, उप-नियम (1) के स्थान पर निम्नलिखित प्रतिस्थापित किया जाएगा, अर्थात्:—

“(1) Every society with shares, out of the net profits in a year, may declare such portion of the net profits a dividend, as it thinks appropriate, that may remain balance after deducting due portion to the statutory funds and other payments in accordance with the provisions of the Act, these rules and the registered bye-laws of the society.”

5. नियम 117 का प्रतिस्थापन.—उक्त नियमों के नियम 117 के स्थान पर निम्नलिखित नियम प्रतिस्थापित किया जाएगा, अर्थात्:—

“117. Term of liquidation proceedings.—Subject to the period fixed in memorandum of liquidation under rule 104, the liquidation proceedings of a society shall be closed within a period of three years from the date on which the order of winding up takes effect unless the period is extended by the Registrar by one year at a time”.

6. नियम 151 का प्रतिस्थापन.—उक्त नियमों के नियम 151 के स्थान पर निम्नलिखित नियम प्रतिस्थापित किया जाएगा, अर्थात्:—

“151. *Fees for certified copies of public documents.*—The fees for the certified copies of any public document, which any person has under the preceding rule, a right of inspection, shall be as follows:—

“For registration certificate.....Rs. 50.00

For other documents.....Rs. 5.00 per page or part thereof”.

आदेश द्वारा,

हस्ताक्षरित/-
प्रधान सचिव।

[Authoritative English text of this Department Notification No. Coop. A(3)-1/99, dated 23-7-2003 as required under clause (3) of Article 348 of the Constitution of India].

CO-OPERATION DEPARTMENT

NOTIFICATION

Shimla-171002, the 23rd July, 2003

No. Coop.A(3)-1/99.—Whereas the Governor of Himachal Pradesh is of the opinion that it is expedient to do so proposes to make the following draft rules further to amend the Himachal Pradesh Co-operative Societies Rules, 1971, in exercise of the powers conferred by section 54 read with section 109 of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969) and publish the same in the Rajpatra Himachal Pradesh for the general information of public;

If any person likely to be affected by these draft rules has any objection(s) or suggestion(s) to be made with regard to the proposed draft rules, he may send the same to the Secretary (Co-operation) to the Government of Himachal Pradesh Shimla-2 within a period of 30 days of the date of publication of the said rules in the Rajpatra Himachal Pradesh;

Objections or suggestions if any received, within the stipulated period, shall be taken into account by the Government before finalising the same, namely:—

DRAFT RULES

1. *Short title.*—These rules may be called the Himachal Pradesh Cooperative Societies (Amendments) Rules, 2003.

2. *Amendment of rule 11.*—In rule 11 of the Himachal Pradesh Co-operative Societies Rules, 1971 (hereinafter called the said rules), in sub-rule (2), after clause (f) for the sign “;” the sign and word “; or ” shall be substituted and thereafter the following clause (g) shall be added namely:—

“(g) does not attend three consecutive general meetings of the society and such absence has not received the consent of the general body”.

3. Amendment of rule 38.—In rule 38 of the said rules:—

(a) In sub-rule (3), the first proviso shall be deleted and the word “further” appearing in second proviso shall be deleted; and

(b) after sub-rule (6), the following sub-rule (7) shall be added, namely:—

“(7) Each committee shall, ninety days before the expiry of its term, make arrangements for the constitution of new committee in accordance with the provisions of the Act, rules and its bye-laws :

Provided that the members of the newly elected committee shall assume office only after the expiry of the term of outgoing committee:

Provided further that the Registrar shall take necessary steps for the constitution of new committee, as he deems fit under the provisions of the Act, if the outgoing committee fails to conduct elections before the expiry of its term”.

4. Amendment of rule 72.—In rule 72 of the said rules, for sub-rule (1), the following shall be substituted, namely:—

“(1) Every society with shares, out of the net profits in a year, may declare such portion of the net profits a dividend, as it thinks appropriate, that may remain balance after deducting due portion to the statutory funds and other payments in accordance with the provisions of the Act, these rules and the registered bye-laws of the society”.

5. Substitution of rule 117.—For rule 117 of the said rules the following rules shall be substituted, namely:—

“117. *Term of liquidation proceedings.*—Subject to the period fixed in memorandum of liquidation under rule 104, the liquidation proceedings of a society shall be closed within a period of three years from the date on which the order of winding up takes effect unless the period is extended by the Registrar by one year at a time”.

6. Substitution of rule 151.—For rule 151 of the said rules, the following rule shall be substituted, namely:—

“151. *Fees for certified copies of public documents.*—The fees for the certified copies of any public document, which any person has under the preceding rule, a right of inspection shall be as follows :—

“For registration certificate.....Rs. 50.00

For other documents.....Rs. 5.00 per page or part thereof”.

By order,

Sd/-
Principal Secretary.